Tort

definition

A [civil](http://www.law.cornell.edu/wex/civil) wrong which can be redressed by awarding [damages](http://www.law.cornell.edu/wex/damages). See, e.g. [Smith v. United States, 507 U.S. 197 (1993)](http://www.law.cornell.edu/wex-cgi/wexlink?wexns=USR&wexname=507:197).

tort law: an overview

Torts are civil wrongs recognized by law as grounds for a lawsuit. These wrongs result in an injury or harm constituting the basis for a claim by the injured party. While some torts are also crimes punishable with imprisonment, the primary aim of tort law is to provide relief for the damages incurred and deter others from committing the same harms. The injured person may sue for an injunction to prevent the continuation of the tortious conduct or for monetary damages.(*See* [Damages](http://www.law.cornell.edu/topics/damages.html))

Among the types of damages the injured party may recover are: loss of earnings capacity, pain and suffering, and reasonable medical expenses. They include both present and future expected losses.

There are numerous specific torts including [trespass](http://www.law.cornell.edu/wex/trespass), [assault](http://www.law.cornell.edu/wex/assault), [battery](http://www.law.cornell.edu/wex/battery), [negligence](http://www.law.cornell.edu/wex/negligence), [products liability](http://www.law.cornell.edu/wex/products_liability), and [intentional infliction of emotional distress](http://www.law.cornell.edu/wex/intentional_infliction_of_emotional_distress).

Torts fall into three general categories: [intentional torts](http://topics.law.cornell.edu/wex/intentional_tort) (*e.g.*, intentionally hitting a person); [negligent torts](http://topics.law.cornell.edu/wex/negligence) (*e.g.*, causing an accident by failing to obey traffic rules); and [strict liability](http://topics.law.cornell.edu/wex/strict_liability) torts(*e.g.*, liability for making and selling defective products - *See* [Products Liability](http://www.law.cornell.edu/topics/products_liability.html)). Intentional torts are those wrongs which the defendant knew or should have known would occur through their actions or inactions. Negligent torts occur when the defendant's actions were unreasonably unsafe. Strict liability wrongs do not depend on the degree of carefulness by the defendant, but are established when a particular action causes damage.

There are also separate areas of tort law including [nuisance](http://topics.law.cornell.edu/wex/nuisance), [defamation](http://topics.law.cornell.edu/wex/defamation), [invasion of privacy](http://topics.law.cornell.edu/wex/invasion_of_privacy), and a category of [economic torts](http://topics.law.cornell.edu/wex/economic_torts).

Tort law is state law created through judges (common law) and by legislatures (statutory law). Many judges and states utilize the [Restatement of Torts (2nd)](http://www.tomwbell.com/NetLaw/Ch05/R2ndTorts.html) as an influential guide. The Restatement is a publication prepared by the [American Law Institute](http://www.ali.org/) whose aim is to present an orderly statement of the general law of the United States.

Definition from Nolo’s Plain-English Law Dictionary

An injury to one person for which the person who caused the injury is legally responsible. A tort can be intentional -- for example, an angry punch in the nose -- but is far more likely to result from carelessness (called "negligence"), such as riding your bicycle on the sidewalk and colliding with a pedestrian. While the injury that forms the basis of a tort is usually physical, this is not a requirement -- libel, slander, and the "intentional infliction of mental distress" are on a good-sized list of torts not based on a physical injury. A tort is a civil wrong, as opposed to a criminal wrong. Compare: [crime](http://www.nolo.com/dictionary/crime-term.html)

[Definition provided by Nolo’s Plain-English Law Dictionary.](http://www.nolo.com/dictionary/tort-term.html)

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